

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN STEAMSHIP OWNERS MUTUAL  
PROTECTION AND INDEMNITY ASSOCIATION, INC.,

Plaintiff,

-against-

04 Civ. 4309 (LAK)

ALCOA STEAMSHIP CO., et al.,

Defendants.  
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**ORDER**

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/4/06</u>
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LEWIS A. KAPLAN, *District Judge*.

Defendant Loveland Holding Company, Inc. ("Loveland"), has moved for summary judgment dismissing the complaint as against it on the grounds of accord and satisfaction[docket item 373] or, more broadly, that it previously settled plaintiff's claim. As the motion is unopposed, the assertions of Loveland's Rule 56.1 statement that are supported by the record are deemed admitted.

The record before the Court demonstrates that there are no genuine issues of material fact and that Loveland is entitled to judgment as a matter of law. Accordingly, the motion is granted.

SO ORDERED.

Dated: October 4, 2006

  
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Lewis A. Kaplan  
United States District Judge